

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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| IZEA REED, | } | Case No. CV 10-2037 ODW(JC) |
| Petitioner, | | |
| v. | | |
| ERNIE ROE, | | ORDER ADOPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE |
| Respondent. | } | |

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of Habeas Corpus by a Person in State Custody (the "Petition"), all of the records herein, and the attached Report and Recommendation of United States Magistrate Judge. The Court approves and adopts the United States Magistrate Judge's Report and Recommendation.

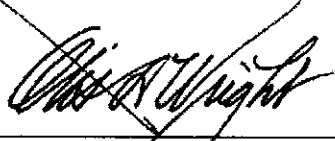
IT IS ORDERED that the Petition is denied and this action is dismissed without prejudice because it is successive, petitioner did not obtain the requisite authorization from the Court of Appeals to file a successive petition, and this Court lacks jurisdiction to consider it.

IT IS FURTHER ORDERED that the Clerk of the Court shall refer the Petition to the United States Court of Appeals for the Ninth Circuit (the "Ninth Circuit") pursuant to Ninth Circuit Rule 22-3(a).

1 IT IS FURTHER ORDERED that the Clerk shall serve copies of this Order,
2 the United States Magistrate Judge's Report and Recommendation, and the
3 Judgment herein on petitioner and on any counsel for respondent.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.

5 DATED: May 11, 2010

A handwritten signature in black ink, appearing to read "Otis D. Wright, II", is written over a horizontal line.

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8 HONORABLE OTIS D. WRIGHT, II
9 UNITED STATES DISTRICT JUDGE
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